

Re. : Amendment and Response to Office Action Mailed June 7, 2007
Appl. No. : 10/728,284
Filed : December 4, 2003

II. REMARKS

Claims 1, 2, 6, 7, 9, 11-14 and 21-22 were previously pending and the Office Action rejected Claims 1, 2, 6, 7, 9, 11-14 and 21-22. By the foregoing amendments, Applicants amended Claims 1, 11 and 21; and cancelled Claims 6-7 and 9 without prejudice; to further clarify, more clearly define, broaden the claimed invention and/or expedite receiving a notice of allowance. Pursuant to 37 C.F.R. § 1.121(f), no new matter is introduced by these amendments. Applicants believe that Claims 1, 11-14, 21 and 22 are in condition for immediate allowance.

Please note that Applicants' remarks are presented in the order in which the issues were raised in the Office Action for the convenience and reference of the Examiner. In addition, Applicants request that the Examiner carefully review any references discussed below to ensure that Applicants' discussion and understanding of the references, if any, is consistent with the Examiner's. Further, the following remarks are not intended to be an exhaustive enumeration of the distinctions between any particular reference and the claimed invention. Rather, the distinctions identified and discussed below are presented solely by way of example to illustrate some of the differences between the claimed invention and that reference.

A. Response to the Objection to the Specification

The Office Action objected to the specification as failing to provide proper antecedent basis for the claimed subject matter. The Office Action stated that correction of the following is required: first and second brackets are not described in the specification. They are shown in the drawings, but do not have reference numbers.

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Applicants respectfully traverse this objection because specification and drawings provide proper antecedent basis for the claimed subject matter. However, in order to expedite receiving a notice of allowance, Applicants deleted reference to first and second brackets in the claims. Accordingly, Applicants request that this objection to the specification be withdrawn.

B. Response to the Objections to the Drawings

The Office Action objected to the drawings because the drawings must show every feature of the invention specified in the claims. The Office Action stated the handle being constructed of angled L-iron (it appears that only the connecting portion is) must be shown or the feature cancelled from the claims. The Office Action also objected to the drawings because they fail to show the details of the handle to an equally sufficient detail as described in the specification.

Applicants respectfully traverse this objection because the drawings show every feature of the invention specified in the claims and provide sufficient details of the handle. However, in order to expedite receiving a notice of allowance, Applicants amended the claims to be more consistent with the drawings and to overcome this objection to the drawings. For example, Applicants amended Claim 1, *inter alia*, to provide the following:

a first handle connected to the inner side of the first connecting member, the first handle being a separate and discrete structure than the first connecting member, the first handle being spaced apart from the first connecting rod and the second connecting rod, the first handle comprising:

a connecting portion having a generally L-shaped configuration with a generally vertically disposed portion that is at least partially connected to the inner side of the first connecting member and a generally horizontally disposed portion that extends from the inner side to the outer side of the first connecting member, the connecting portion being constructed from metal; and

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a handle portion connected to the generally vertically disposed portion of the connecting portion, the handle portion being spaced apart from the bottom surface of the table top so that a person can place their fingers in the space in order to lift the table; and

a second handle connected to the inner side of the second connecting member, the second handle being a separate and discrete structure than the second connecting member, the second handle being spaced apart from the first connecting rod and the second connecting rod, the second handle comprising:

a connecting portion having a generally L-shaped configuration with a generally vertically disposed portion that is at least partially connected to the inner side of the first connecting member and a generally horizontally disposed portion that extends from the inner side to the outer side of the second connecting member, the connecting portion being constructed from metal; and

a handle portion connected to the generally vertically disposed portion of the connecting portion, the handle portion being spaced apart from the bottom surface of the table top so that a person can place their fingers in the space in order to lift the table.

Applicants also amended Claim 21, *inter alia*, to provide the following:

a handle connected to the inner side of the first connecting member, the handle being a separate and discrete structure than the first connecting member, the handle being spaced apart from the first connecting rod and the second connecting rod, the handle comprising:

a connecting portion having a generally L-shaped configuration with a generally vertically disposed portion that is at least partially connected to the inner side of the first connecting member and a generally horizontally disposed portion that extends from the inner side to the outer side of the first connecting member, the connecting portion being constructed from metal; and

a handle portion connected to the generally vertically disposed portion of the connecting portion, the handle portion being spaced apart from the bottom surface of the table top so that a person can place their fingers in the space in order to lift the table.

Accordingly, Applicants request that these objections to the drawings be withdrawn in view of these amendments.

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C. Response to the Section 112 Rejections

The Office Action rejected Claims 1, 6, 7, 9, 11, 12 and 13 under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. The Office Action stated in the specification the handle is only described of having a connecting portion constructed of angle L-iron and then a handle portion constructed from plastic or other material. The Office Action stated therefore the handle as a whole being constructed of angled L-iron and being generally L-shaped is not enabled to a level that would allow one skilled in the art to make the invention.

The Office Action rejected Claims 21 and 22 under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. The Office Action stated in the specification the handle is only described of having an L-shaped connecting portion constructed of angle L-iron and then a L-shaped handle portion constructed from plastic or other material. The Office Action stated therefore it is unclear how two L-shaped members put together also make an L-shaped member.

Applicants respectfully traverse this objection because the claims comply with the enablement requirement. However, in order to expedite receiving a notice of allowance, Applicants amended the claims to confirm that the claims contain subject matter which is described in the specification in such a way as to enable one skill in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. For example, Applicants amended Claim 1, *inter alia*, to provide the following:

a first handle connected to the inner side of the first connecting member,
the first handle being a separate and discrete structure than the first connecting
member, the first handle being spaced apart from the first connecting rod and the
second connecting rod, the first handle comprising:

a connecting portion having a generally L-shaped configuration
with a generally vertically disposed portion that is at least partially

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connected to the inner side of the first connecting member and a generally horizontally disposed portion that extends from the inner side to the outer side of the first connecting member, the connecting portion being constructed from metal; and

a handle portion connected to the generally vertically disposed portion of the connecting portion, the handle portion being spaced apart from the bottom surface of the table top so that a person can place their fingers in the space in order to lift the table; and

a second handle connected to the inner side of the second connecting member, the second handle being a separate and discrete structure than the second connecting member, the second handle being spaced apart from the first connecting rod and the second connecting rod, the second handle comprising:

a connecting portion having a generally L-shaped configuration with a generally vertically disposed portion that is at least partially connected to the inner side of the first connecting member and a generally horizontally disposed portion that extends from the inner side to the outer side of the second connecting member, the connecting portion being constructed from metal; and

a handle portion connected to the generally vertically disposed portion of the connecting portion, the handle portion being spaced apart from the bottom surface of the table top so that a person can place their fingers in the space in order to lift the table.

Applicants also amended Claim 21, *inter alia*, to provide the following:

a handle connected to the inner side of the first connecting member, the handle being a separate and discrete structure than the first connecting member, the handle being spaced apart from the first connecting rod and the second connecting rod, the handle comprising:

a connecting portion having a generally L-shaped configuration with a generally vertically disposed portion that is at least partially connected to the inner side of the first connecting member and a generally horizontally disposed portion that extends from the inner side to the outer side of the first connecting member, the connecting portion being constructed from metal; and

a handle portion connected to the generally vertically disposed portion of the connecting portion, the handle portion being spaced apart from the bottom surface of the table top so that a person can place their fingers in the space in order to lift the table.

Accordingly, Applicants request that these Section 112 rejections be withdrawn in view

of these amendments.

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D. Response to the First Section 102(e) Rejection

The Office Action rejected Claims 21 and 22 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2003/0233967 to Lin. The Office Action stated in the embodiment in Figure 6, the Lin publication teaches a table with a table top (1). The Office Action also stated the table top (1) has a top surface and a bottom surface. In addition, the Office Action stated Figure 6 teaches an alternative frame structure (5) made of metal to substitute the frame structure (2) of Figures 1 and 2. The Office Action further stated the following: a mounting structure (12) is centrally disposed on the bottom surface; the mounting structure (12) including a first connecting member (A') and a second connecting member (B'); a first and second leg assembly (23c, 24c) attached to the table top; a first support assembly (25c) attached to the first leg assembly (23c, 24c) and to a first connecting rod (52); the first connecting rod (52) is connected to the first and second connecting member (A', B') and second connecting rod (52) is also connected to the first and second connecting member (A', B'); a second leg assembly (23c, 24c) has a second support assembly (25c) connected to the second connecting rod (52); a handle has a handle portion (55) that is attached to the inner side of the first connecting member (A') and the inner side of the second connecting member (B') via the connecting portion (54); a space is below the handle portion (55) to allow a person to place their fingers around the handle portion (55); the handle (55, 54) is formed separately from the connecting members (A', B'); the connecting portion (54) and the handle portion (55) is formed from two pieces of metal welded together making them formed discretely; the connecting members (A', B') are formed integrally with the table top (1); the table top (1) is made of plastic by blow molding method, which means

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that it has a hollow interior; first and second brackets (53) connect to the inner side of the first and second connecting members (A', B') and to connecting portion (54) of the handle (55, 54).

Applicants respectfully traverse this rejection at least because the Lin publication fails to disclose each and every limitation of Claims 21 and 22. Nevertheless, as mentioned above, to further clarify, more clearly define and/or broaden the claimed invention, and expedite receiving a notice of allowance, Applicants amended Claim 21.

For example, Applicants amended Claim 21, *inter alia*, to provide the following:

a handle connected to the inner side of the first connecting member, the handle being a separate and discrete structure than the first connecting member, the handle being spaced apart from the first connecting rod and the second connecting rod, the handle comprising:

a connecting portion having a generally L-shaped configuration with a generally vertically disposed portion that is at least partially connected to the inner side of the first connecting member and a generally horizontally disposed portion that extends from the inner side to the outer side of the first connecting member, the connecting portion being constructed from metal; and

a handle portion connected to the generally vertically disposed portion of the connecting portion, the handle portion being spaced apart from the bottom surface of the table top so that a person can place their fingers in the space in order to lift the table.

In contrast, the Lin publication does not disclose a handle including a connecting portion having a generally L-shaped configuration with a generally vertically disposed portion that is at least partially connected to the inner side of the first connecting member and a generally horizontally disposed portion that extends from the inner side to the outer side of the first connecting member. Additionally, the Lin publication does not disclose a handle including a handle portion connected to the generally vertically disposed portion of the connecting portion, the handle portion being spaced apart from the bottom surface of the table top so that a person

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can place their fingers in the space in order to lift the table.

Accordingly, Applicants submit that Claim 21 is allowable over the cited references and request that this Section 102(e) rejection be withdrawn. In addition, Applicants submit that Claim 22, which is dependent on Claim 21, is allowable for at least the same reasons as Claim 21. Thus, Applicants respectfully request that this Section 102(e) rejection of Claims 21 and 22 be withdrawn.

E. Response to the Section 103(a) Rejection

The Office Action rejected Claims 1, 6, 7, 9 and 11-14 under Section 103(a) as being unpatentable over the Lin publication. The Office Action stated the embodiment in Figure 6 of Lin discloses every element as claimed and discussed above except a second handle with third and fourth connecting members and the connecting portion of the handle being constructed of angled L-iron. The Office Action also stated, regarding Claim 1, it would have been obvious for a person of ordinary skill in the art to modify the table of Lin by having the connecting portions constructed of angled L-iron, since applicant has not disclosed that having the connecting portion constructed of this material solves any stated problem or is for any particular purpose and it appears that the connecting portions and handle portion would perform equally well with the connecting portion of tubular metal since it is functional equivalent and works equally well.

Applicants respectfully traverse this rejection at least because the Lin publication fails to disclose each and every limitation of Claims 1, 6, 7, 9 and 11-14. Nevertheless, as mentioned above, to further clarify, more clearly define and/or broaden the claimed invention, and expedite

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receiving a notice of allowance, Applicants amended Claim 1. In addition, Applicants cancelled Claims 6, 7 and 9 without prejudice.

Applicants amended Claim 1, *inter alia*, to provide the following:

a first handle connected to the inner side of the first connecting member, the first handle being a separate and discrete structure than the first connecting member, the first handle being spaced apart from the first connecting rod and the second connecting rod, the first handle comprising:

a connecting portion having a generally L-shaped configuration with a generally vertically disposed portion that is at least partially connected to the inner side of the first connecting member and a generally horizontally disposed portion that extends from the inner side to the outer side of the first connecting member, the connecting portion being constructed from metal; and

a handle portion connected to the generally vertically disposed portion of the connecting portion, the handle portion being spaced apart from the bottom surface of the table top so that a person can place their fingers in the space in order to lift the table; and

a second handle connected to the inner side of the second connecting member, the second handle being a separate and discrete structure than the second connecting member, the second handle being spaced apart from the first connecting rod and the second connecting rod, the second handle comprising:

a connecting portion having a generally L-shaped configuration with a generally vertically disposed portion that is at least partially connected to the inner side of the first connecting member and a generally horizontally disposed portion that extends from the inner side to the outer side of the second connecting member, the connecting portion being constructed from metal; and

a handle portion connected to the generally vertically disposed portion of the connecting portion, the handle portion being spaced apart from the bottom surface of the table top so that a person can place their fingers in the space in order to lift the table.

The Lin publication does not teach, suggest or disclose a first handle including a connecting portion having a generally L-shaped configuration with a generally vertically disposed portion that is at least partially connected to the inner side of the first connecting member and a generally horizontally disposed portion that extends from the inner side to the

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outer side of the first connecting member. Additionally, the Lin publication does not teach, suggest or disclose a first handle including a handle portion connected to the generally vertically disposed portion of the connecting portion, the handle portion being spaced apart from the bottom surface of the table top so that a person can place their fingers in the space in order to lift the table. The Lin publication also does not teach, suggest or disclose a second handle including a connecting portion having a generally L-shaped configuration with a generally vertically disposed portion that is at least partially connected to the inner side of the first connecting member and a generally horizontally disposed portion that extends from the inner side to the outer side of the first connecting member. Further, the Lin publication does not teach, suggest or disclose a second handle including a handle portion connected to the generally vertically disposed portion of the connecting portion, the handle portion being spaced apart from the bottom surface of the table top so that a person can place their fingers in the space in order to lift the table.

Accordingly, Applicants submit that Claim 1 is allowable over the cited references and request that this Section 103(a) rejection be withdrawn. In addition, Applicants submit that Claims 11-14, which are dependent on Claim 1, are allowable for at least the same reasons as Claim 1. Thus, Applicants respectfully request that this Section 102(e) rejection of Claims 1 and 11-14 be withdrawn.

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III. CONCLUSION

In view of the foregoing, Applicants submit that Claims 1, 11-14, 21 and 22 are allowable over the cited references and are in condition for allowance. Accordingly, Applicants request that a Notice of Allowance be promptly issued.

If any further impediments to allowance of this application remain, the Examiner is cordially invited to contact the undersigned by telephone so that these remaining issues may be promptly resolved.

The Commissioner is authorized to charge payment of any additional fees associated with this communication, which have not otherwise been paid, to Deposit Account No. 23-3178. If any additional extension of time is required, which have not otherwise been requested, please consider this a petition therefore and charge any additional fees that may be required to Deposit Account No. 23-3178.

Respectfully submitted,

Dated: 12/7/07

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